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PTO/SB/21 (09-04)

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|---|----------------------|------------------------|---------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/725673-Conf. #5522 | |
| | Filing Date | December 3, 2003 | |
| | First Named Inventor | Jordan COHEN | |
| | Art Unit | N/A | |
| | Examiner Name | Not Yet Assigned | |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 112855.121US3 |

| ENCLOSURES (Check all that apply) | | | | |
|--|--|---|---------|------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): X Return Receipt Postcard X AMENDMENT TRANSMITTAL LETTER WITH FEES - 1 PG | | |
| <table border="1"><tr><td>Remarks</td></tr><tr><td>X PRELIMINARY AMENDMENT - 10 PAGES</td></tr></table> | | | Remarks | X PRELIMINARY AMENDMENT - 10 PAGES |
| Remarks | | | | |
| X PRELIMINARY AMENDMENT - 10 PAGES | | | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | WILMER CUTLER PICKERING HALE AND DORR LLP | | |
| Signature | | | |
| Printed name | Eric L. Prah | | |
| Date | August 23, 2005 | Reg. No. | 32,590 |

| | |
|--|------------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | |
| Dated: August 23, 2005 | Signature: (Maureen Divito) |

**AMENDMENT TRANSMITTAL LETTER**Docket No.
112855.121US3Application No.
10/725673-Conf. #5522Filing Date
December 3, 2003Examiner
Not Yet AssignedArt Unit
N/A

Applicant(s): Jordan COHEN et al.

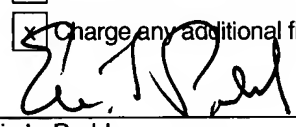
Invention: PROVIDER-ACTIVATED SOFTWARE FOR MOBILE COMMUNICATION DEVICES

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

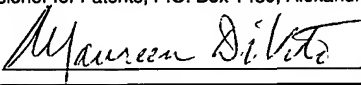
The fee has been calculated and is transmitted as shown below.

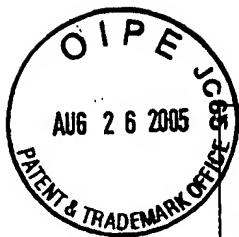
| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|----------|---------------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 40 | - 20 = | 20 | x 25.00 | 500.00 |
| Independent Claims | 5 | - 3 = | 2 | x 100.00 | 200.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 700.00 |

☐ Large Entity☒ Small Entity☐ No additional fee is required for this amendment.☒ Please charge Deposit Account No. 08-0219 in the amount of \$ 700.00.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 08-0219
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Eric L. Prah
Attorney Reg. No.: 32,590Dated: August 23, 2005WILMER CUTLER PICKERING HALE AND DORR LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

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Signature:  (Maureen Divito)



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Dated: August 23, 2005

Signature

Maureen Divito
(Maureen Divito)

Docket No.: 112855.121US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jordan COHEN et al.

Application No.: 10/725673

Confirmation No.: 5522

Filed: December 3, 2003

Art Unit: N/A

For: PROVIDER-ACTIVATED SOFTWARE FOR
MOBILE COMMUNICATION DEVICES

Examiner: Not Yet Assigned

FIRST PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.